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10 *Attorneys for Plaintiffs*

11
12 **UNITED STATES DISTRICT COURT**
13 **NORTHERN DISTRICT OF CALIFORNIA**
14 **OAKLAND DIVISION**

15 UNITED STATES OF AMERICA, STATES
OF CALIFORNIA, COLORADO,
16 CONNECTICUT, DELAWARE, FLORIDA,
GEORGIA, HAWAII, ILLINOIS, INDIANA,
17 IOWA, LOUISIANA, MICHIGAN,
MINNESOTA, MONTANA, NEVADA,
18 NEW JERSEY, NEW MEXICO, NEW YORK,
NORTH CAROLINA, OKLAHOMA, RHODE
19 ISLAND, TENNESSEE, TEXAS,
VERMONT, AND WASHINGTON; THE
20 COMMONWEALTHS OF
MASSACHUSETTS AND VIRGINIA; and
21 THE DISTRICT OF COLUMBIA,

22 *ex rel.* ZACHARY SILBERSHER,

23 Plaintiffs,

24 vs.

25 JANSSEN BIOTECH, INC., JANSSEN
ONCOLOGY, INC., JANSSEN RESEARCH &
26 DEVELOPMENT, LLC, and JOHNSON &
JOHNSON,
27

28 Defendants.

Case No.: 4:17-cv-07250-KAW

**STIPULATION AND [PROPOSED] ORDER
FOR EXTENSION OF TIME TO RESPOND
TO AMENDED COMPLAINT**

1 WHEREAS, on December 21, 2017, Plaintiffs filed the Complaint in this action;

2 WHEREAS, on October 23, 2018, Plaintiffs filed an Amended Complaint in this action;

3 WHEREAS, the deadline for Defendants to move or otherwise respond to the Amended
4 Complaint is January 10, 2019;

5 WHEREAS, Defendants seek an extension of the deadline to move or otherwise respond to
6 the Amended Complaint to allow Defendants time to evaluate this case and prepare defenses;

7 WHEREAS, Plaintiffs have agreed to an extension of the deadline;

8 WHEREAS, Defendants do not waive, and expressly reserve, all available defenses, except
9 with respect to the sufficiency of service of process; and

10 WHEREAS, Defendants have not obtained any previous extension;

11 NOW THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and between
12 Plaintiffs and Defendants, as represented by their undersigned counsel, that Defendants' deadline to
13 move, or otherwise respond to the Complaint shall be extended forty-five (45) days to and including
14 February 25, 2019. In the event that Defendants respond by filing a motion to dismiss the Amended
15 Complaint, Plaintiffs shall have until March 27, 2019, to oppose or otherwise respond to such motion
16 to dismiss, and Defendants shall have until April 11, 2019 to reply. These extensions shall not alter the
17 date of any event or deadline already fixed by Court order.

1 Dated: January 9, 2019

By: /s/ Nicomedes Sy Herrera

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12 *Indiana, Iowa, Louisiana, Michigan, Minnesota,*
13 *Montana, Nevada, New Jersey, New Mexico, New*
14 *York, North Carolina, Oklahoma, Rhode Island,*
15 *Tennessee, Texas, Vermont, and Washington; the*
16 *Commonwealths of Massachusetts and Virginia; and*
17 *the District of Columbia, ex rel. Zachary Silbersher*

18 Dated: January 9, 2019

By: /s/ Michael J. Bettinger

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26 *Attorneys for Defendants Janssen Biotech, Inc.,*
27 *Janssen Oncology, Inc., Janssen Research &*
28 *Development, LLC, and Johnson & Johnson*

SIGNATURE ATTESTATION

Pursuant to Local Rule 5-1(i)(3), I attest under penalty of perjury that concurrence in the filing of this document has been obtained from the other signatories above.

January 9, 2019

By: /s/ Nicomedes Sy Herrera
Nicomedes Sy Herrera

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8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA
10 OAKLAND DIVISION

11 UNITED STATES OF AMERICA, STATES
12 OF CALIFORNIA, COLORADO,
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23 THE DISTRICT OF COLUMBIA,

ex rel. ZACHARY SILBERSHER,

Plaintiffs,

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21 JANSSEN BIOTECH, INC., JANSSEN
22 ONCOLOGY, INC., JANSSEN RESEARCH &
23 DEVELOPMENT, LLC, and JOHNSON &
JOHNSON,

Defendants.

Case No.: 4:17-cv-07250-KAW

**[PROPOSED] ORDER EXTENDING
DEFENDANTS' TIME TO RESPOND TO
THE AMENDED COMPLAINT AND
OTHER RELIEF**

24
25 The Court, having reviewed the Stipulation for Extension of Time to Respond to Amended
26 Complaint, and good cause appearing therefor, **HEREBY MAKES THE FOLLOWING ORDER:**
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28

1 Defendants' time to move, or otherwise respond to the Amended Complaint shall be
2 extended forty-five (45) days to and including February 25, 2019.

3 In the event that Defendants respond by filing a motion to dismiss the Amended Complaint,
4 Plaintiffs shall have until March 27, 2019, to oppose or otherwise respond to such motion to dismiss,
5 and Defendants shall have until April 11, 2019 to reply.
6

7 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**
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9 Date: 1/17/19
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